

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

May 02, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JOHN DOE,

Plaintiff,

vs.

THE BOARD OF TRUSTEES OF  
WHITMAN COLLEGE, a non-profit  
corporation,

Defendant.

No. 4:23-CV-05051-MKD

ORDER ON NOTICE OF  
DISMISSAL

**ECF No. 13, 14**

Before the Court is Plaintiff's Notice of Dismissal, ECF No. 14. Fed. R. Civ. P. 41(a)(1)(A)(i) provides that a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. Defendant has not filed an answer or a motion for summary judgment. Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) is appropriate.

Accordingly, **IT IS ORDERED:**

1           1.     Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and Plaintiff's Notice of  
2 Dismissal, **ECF No. 14**, all claims are **DISMISSED without prejudice**, without  
3 an award of fees or costs.

4           2.     Any pending motions, including **ECF No. 13**, are **DENIED as moot**.

5           3.     All hearings and other deadlines are **STRICKEN**.

6           **IT IS SO ORDERED.** The District Court Executive is directed to file this  
7 Order, provide copies to counsel, and **CLOSE** the file.

8           DATED May 2, 2023.

9                                 s/Mary K. Dimke  
10                                MARY K. DIMKE  
                              UNITED STATES DISTRICT JUDGE